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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91216852
Party	Defendant GIDON ANABI BLANGA
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Attachments	Answer to PRL Opposition.pdf(98756 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

<b>In re:</b> Application Serial No. 86040733	)	
	)	
<b>Mark:</b> HPC POLO	)	<b>Opposition No. 91216852</b>
	)	
<b>Filed:</b> August 16, 2013	)	
	)	
<b>Published:</b> February 18, 2014	)	<b>ANSWER WITH AFFIRMATIVE</b>
	)	<b>DEFENSES</b>
	)	
<b>PRL USA HOLDINGS, INC.,</b>	)	
<i>Opposer,</i>	)	
	)	
v.	)	
	)	
<b>GIDON ANABI BLANGA,</b>	)	
	)	
<i>Applicant.</i>	)	

**ANSWER TO NOTICE OF OPPOSITION WITH AFFIRMATIVE DEFENSES**

Dear Commissioner,

Applicant, Gidon Anabi Blanga (hereinafter “Applicant” or “Mr. Blanga”) hereby submits an Answer to the Notice of Opposition (“Opposition”) filed by PRL USA Holdings, Inc., (hereinafter “Opposer” or “PRL”).

1. Applicant admits the allegations of paragraph 1 of the Opposition.
2. Applicant admits the allegations of paragraph 2 of the Opposition.
3. Applicant admits the allegations of paragraph 3 of the Opposition.
4. Applicant admits the allegations of paragraph 4 of the Opposition.
5. Applicant admits the allegations of paragraph 5 of the Opposition.
6. Applicant denies the allegations of paragraph 6 of the Opposition.

7. Applicant denies the allegations of paragraph 7 of the Opposition.
8. Applicant denies the allegations of paragraph 8 of the Opposition as to the term “using,” which carries specific legal connotations. Paragraph 8 also contains a conclusion of law, not an allegation of fact, and thus no response is required.
9. Applicant is without knowledge or information sufficient to form a belief as to the truth of the facts set forth in paragraph 9 of the Opposition and therefore denies the allegations.
10. Applicant is without knowledge or information sufficient to form a belief as to the truth of the facts set forth in paragraph 10 of the Opposition and therefore denies the allegations.
11. Applicant is without knowledge or information sufficient to form a belief as to the truth of the facts set forth in paragraph 11 of the Opposition and therefore denies the allegations.
12. Applicant is without knowledge or information sufficient to form a belief as to the truth of the facts set forth in paragraph 12 of the Opposition and therefore denies the allegations.
13. Applicant is without knowledge or information sufficient to form a belief as to the truth of the facts set forth in paragraph 13 of the Opposition and therefore denies the allegations.
14. Applicant is without knowledge or information sufficient to form a belief as to the truth of the facts set forth in paragraph 14 of the Opposition and therefore denies the allegations.

15. Applicant is without knowledge or information sufficient to form a belief as to the truth of the facts set forth in paragraph 15 of the Opposition and therefore denies the allegations.

16. Paragraph 16 of the Opposition contains conclusions of law, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, denied.

17. As to Paragraph 17 of the Opposition, Applicant admits there is an Exhibit B is attached to the Opposition, but does not admit anything as to the content of Exhibit B.

18. Paragraph 18 of the Opposition contains conclusions of law, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, denied.

19. As to Paragraph 19 of the Opposition, Applicant admits there is an Exhibit B is attached to the Opposition, but does not admit anything as to the content of Exhibit B.

20. Applicant is without knowledge or information sufficient to form a belief as to the truth of the facts set forth in paragraph 20 of the Opposition and therefore denies the allegations.

21. Applicant is without knowledge or information sufficient to form a belief as to the truth of the facts set forth in paragraph 21 of the Opposition and therefore denies the allegations.

22. Applicant is without knowledge or information sufficient to form a belief as to the truth of the facts set forth in paragraph 22 of the Opposition and therefore denies the allegations.

23. Applicant is without knowledge or information sufficient to form a belief as to the truth of the facts set forth in paragraph 23 of the Opposition and therefore denies the allegations.

24. Applicant is without knowledge or information sufficient to form a belief as to the truth of the facts set forth in paragraph 24 of the Opposition and therefore denies the allegations.

25. Paragraph 25 of the Opposition contains conclusions of law, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, denied.

26. Applicant is without knowledge or information sufficient to form a belief as to the truth of the facts set forth in paragraph 26 of the Opposition and therefore denies the allegations.

27. Paragraph 28 of the Opposition contains conclusions of law, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, denied.

28. Applicant is without knowledge or information sufficient to form a belief as to the truth of the facts set forth in paragraph 29 of the Opposition and therefore denies the allegations.

29. Applicant denies the allegations of paragraph 30 of the Opposition.

30. Applicant denies the allegations of paragraph 31 of the Opposition.

31. Applicant denies the allegations of paragraph 32 of the Opposition.
32. Paragraph 33 of the Opposition contains conclusions of law, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, denied.
33. Applicant denies the allegations of paragraph 34 of the Opposition.
34. Applicant denies the allegations of paragraph 35 of the Opposition.
35. Paragraph 36 of the Opposition contains conclusions of law, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, denied.
36. Applicant denies the allegations of paragraph 37 of the Opposition.
37. Applicant denies the allegations of paragraph 38 of the Opposition.
38. Applicant denies the allegations of paragraph 39 of the Opposition.
39. Applicant denies the allegations of paragraph 40 of the Opposition.
40. Applicant denies the allegations of paragraph 41 of the Opposition.
41. Applicant denies the allegations of paragraph 42 of the Opposition.
42. Applicant denies the allegations of paragraph 43 of the Opposition.
43. Applicant denies the allegations of paragraph 44 of the Opposition.
44. Applicant denies the allegations of paragraph 45 of the Opposition.
45. Applicant denies the allegations of paragraph 46 of the Opposition.
46. Paragraph 48 of the Opposition contains conclusions of law, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, denied.
47. Applicant denies the allegations of paragraph 49 of the Opposition.

48. Applicant denies the allegations of paragraph 50 of the Opposition.
49. Applicant denies the allegations of paragraph 51 of the Opposition.
50. Paragraph 52 of the Opposition contains conclusions of law, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, denied.
51. Applicant denies the allegations of paragraph 53 of the Opposition.
52. Applicant is without knowledge or information sufficient to form a belief as to the truth of the facts set forth in paragraph 55 of the Opposition and therefore denies the allegations.
53. Paragraph 56 of the Opposition contains conclusions of law, not allegations of fact, and thus no response is required. To the extent a response is deemed necessary, denied.
54. Applicant denies the allegations of paragraph 57 of the Opposition.
55. Applicant denies the allegations of paragraph 58 of the Opposition.
56. Applicant denies the allegations of paragraph 59 of the Opposition.
57. Applicant denies the allegations of paragraph 60 of the Opposition.
58. Applicant denies the allegations of paragraph 61 of the Opposition.
59. Applicant denies the allegations of paragraph 62 of the Opposition.
60. Applicant admits the allegations of paragraph 63 of the Opposition.
61. Applicant denies the allegations of paragraph 64 of the Opposition.
62. Applicant denies the allegations of paragraph 65 of the Opposition.
63. Applicant denies that the opposition should be sustained, and requests that the Board deny the Opposer's opposition request.

As for Affirmative Defenses, Applicant states as follows:

**AFFIRMATIVE DEFENSES**

64. Applicant's mark HPC POLO does not cause impairment or harm to a famous mark.

65. Opposer is barred by the doctrine of Laches from opposing Applicant's mark.

66. Opposer is barred by the doctrine of Estoppel from opposing Applicant's mark.

67. Opposer is barred by the doctrine of Acquiescence from opposing Applicant's mark.

68. Opposer's file wrapper history estops Opposer from asserting the claims set forth in the opposition.

69. Opposer has instituted this action in bad faith.

70. The Opposer is barred by its own unclean hands.

71. The Opposer's registrations are invalid or void ab initio due to a fraudulent Statement of Use or other invalidity or cancellation.

72. Opposer's Opposition fails to state a claim upon which the relief sought may be granted.

73. Opposer is barred by the doctrine of waiver from opposing Applicant's mark.

WHEREFORE, Applicant respectfully requests that the Notice of Opposition be rejected and that Applicant's marks be allowed to proceed to registration.

Dated: July 22, 2014

Respectfully submitted,

TECHLAW LLP

By: \_\_\_\_\_/Dana B. Robinson/\_\_\_\_\_

Dana B. Robinson

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Attorney for Applicant

**CERTIFICATE OF MAILING**

I hereby certify that service of the foregoing Answer to Notice of Opposition with Affirmative Defenses was mailed this 22<sup>nd</sup> day of July, 2014, by depositing a true and correct copy of the same for mailing at San Diego, California, postage fully prepaid thereon, addressed to the following:

Daniel I. Schloss, Esq.  
Melissa B. Berger, Esq.  
Greenberg Traurig, LLP  
200 Park Avenue  
New York, New York 10166

\_\_\_\_\_  
/Dana B. Robinson/  
Dana B. Robinson